

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** By Chairman Scott Mendenhall, on January 19, 2007  
at 8:00 A.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Jim Keane, Vice Chairman (D)  
Rep. Mike Milburn, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Shannon Augare (D)  
Rep. Scott Boggio (R)  
Rep. Kevin T. Furey (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Harry Klock (R)  
Rep. Michele Reinhart (D)  
Rep. Wayne Stahl (R)  
Rep. Bill Thomas (D)  
Rep. Kendall Van Dyk (D)

**Members Excused:** Rep. Ernie Dutton (R)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Bart Campbell, Legislative Branch  
Nancy Kraft, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HJ 11, 1/15/2007; HB 299,  
1/15/2007; HB 300 1/15/2007  
Executive Action: HB 101; HB 168; HB 173

**HEARING ON HJR 11**

**Opening Statement by Sponsor:**

00:03:08 Rep. Dave Gallik (D), HD 79, opened the hearing on HJR 11, Urge congressional limitation of corporate rights as persons.

**Proponents' Testimony:**

00:06:01 Cedron Jones, Montanans for Corporate Accountability

[EXHIBIT\(buh13a01\)](#)

00:11:19 Terry Kendrick, Policy Institute

00:12:18 Al Smith, Montana Trial Lawyers' Association

[EXHIBIT\(buh13a02\)](#)

00:19:16 Stan Frasier

00:23:13 Ann Wilsnack

**Opponents' Testimony:**

00:25:34 Jon Bennion, Montana Chamber of Commerce

00:29:23 Mary Whittinghill, Montana Taxpayers' Association

00:33:40 Nancy Schlepp, Montana Farm Bureau

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:36:12 Rep. Van Dyk

00:36:52 Mr. Smith

00:38:28 Rep. Mendenhall

00:39:25 Ms. Wilsnack

**Closing by Sponsor:**

00:41:23 Rep. Gallik

**HEARING ON HB 299**

**Opening Statement by Sponsor:**

00:45:36 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 299, Revise laws governing ski areas and passenger ropeways.

**Proponents' Testimony:**

00:48:37 George Willett, Showdown Ski Area  
00:55:24 Randy Elliott, Bridger Bowl Ski Area and Montana Ski  
Area Association  
00:58:37 Simon Elston, Big Sky Board Sports  
01:02:16 Simon Perkins  
01:04:03 Shalon Hastings  
01:05:16 Stuart Doggett, Montana Innkeepers' Association  
01:05:57 Peter Bovingdon, Ski Areas' Association

**Opponents' Testimony:**

01:12:25 Mr. Smith, Montana Trial Lawyers' Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:34:44 Rep. Augare  
01:35:07 Rep. Milburn  
01:39:31 Mr. Bovingdon  
01:43:33 Rep. Reinhart  
01:44:02 Mr. Bovingdon  
01:44:15 Bart Campbell  
01:44:26 Rep. Reinhart  
01:44:35 Mr. Bovingdon  
01:47:25 Rep. Keane  
01:48:29 Mr. Smith  
01:49:42 Rep. Keane  
01:50:12 Mr. Bovingdon  
01:50:27 Mr. Willett  
01:54:07 Rep. Heinert  
01:54:43 Mr. Willett  
01:55:33 Rep. Furey  
01:55:46 Mr. Bovingdon

**Closing by Sponsor:**

01:55:58 Rep. Milburn  
01:57:26 Break

**HEARING ON HB 300**

**Opening Statement by Sponsor:**

02:21:48 Rep. Mike Milburn (R), HD 19, opened the hearing on HB  
300, Revise false statement provisions in alcoholic  
beverage licensing law.

**Proponents' Testimony:**

02:31:26 Steven Potts

**EXHIBIT** (buh13a03)

02:44:35 Chuck Niswanger

02:45:32 Rick Hutchinson

**Opponents' Testimony:**

02:46:32 John Hayes, Cascade County Tavern Association

02:50:37 Mark Staples, Montana Tavern Association

**Informational Testimony:**

03:00:38 Shawna Helfert, Department of Revenue

**EXHIBIT** (buh13a04)

**Questions from Committee Members and Responses:**

03:05:12 Rep. Reinhart

03:05:37 Mr. Potts

03:07:34 Rep. Augare

03:08:14 Rep. Milburn

03:09:18 Rep. Heinert

03:09:48 Mr. Potts

03:10:19 Rep. Furey

03:10:45 Mr. Potts

**Closing by Sponsor:**

03:11:35 Rep. Milburn

03:13:52 Break

**EXECUTIVE ACTION ON HB 101**

03:21:12 **Motion:** Rep. Furey moved that HB101 **DO PASS.**

**Discussion**

03:21:46 Rep. Milburn

03:23:15 Rep. Furey

03:24:47 Rep. Boggio

03:26:22 Rep. Van Dyk

03:27:45 Rep. Reinhart

03:29:57 Rep. Milburn

03:30:20 Rep. Mendenhall

03:34:13 Rep. Reinhart

03:34:43 Rep. Mendenhall

03:35:22 Rep. Furey

03:36:41 Rep. Thomas

03:37:20 **Vote:** Motion failed 6-10 by roll call vote. Reps. Keane, Windy Boy, Reinhart, Augare, Furey, and Van Dyk voted aye. Reps. Dutton & Windy Boy voted by proxy.

03:39:20 **Motion/Vote:** Rep. Milburn moved that HB 101 BE **TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Reps. Dutton and Windy Boy voted by proxy.

### EXECUTIVE ACTION ON HB 168

03:39:55 **Motion:** Rep. Keane moved that HB 168 **DO PASS**.

#### Discussion

03:40:00 Rep. Keane

03:41:30 Rep. Mendenhall

03:41:39 Rep. Arntzen

03:42:00 **Vote:** Motion failed 2-14 by roll call vote. Reps. Milburn and Van Dyk voted aye. Reps. Dutton and Windy Boy voted by proxy.

03:42:44 **Motion/Vote:** Rep. Keane moved that HB 168 be **TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Reps. Dutton and Windy Boy voted by proxy.

### EXECUTIVE ACTION ON HB 173

03:43:10 **Motion:** Rep. Boggio moved that HB 173 **DO PASS**.

#### Discussion

03:43:39 Rep. Boggio

[EXHIBIT \(buh13a05\)](#)

03:46:31 Rep. Keane

03:47:24 Rep. Jones

03:48:12 Rep. Klock

03:48:47 Rep. Milburn

03:49:21 Mr. Campbell

[EXHIBIT \(buh13a06\)](#)

03:50:11 Rep. Stahl

03:51:46 **Motion/Vote:** Rep. Furey moved that HB 173 **BE AMENDED**.  
Motion carried unanimously by voice vote. Reps. Dutton  
and Windy Boy voted by proxy.

03:52:50 **Motion:** Rep. Boggio moved that HB 173 **DO PASS AS**  
**AMENDED**.

**Discussion**

03:52:34 Rep. Augare  
03:52:57 Rep. Klock  
03:53:24 Shawna Helfert  
03:54:12 Rep. Reinhart  
03:54:16 Ms. Helfert  
03:54:49 Rep. Reinhart  
03:54:56 Ms. Helfert  
03:55:00 Rep. Boggio  
03:55:52 Rep. Jones

03:57:07 **Vote:** Motion carried 12-4 by roll call vote. Reps.  
Milburn, Keane, Windy Boy, and Mendenhall voted no.  
Reps. Dutton and Windy Boy voted by proxy.

**ADJOURNMENT**

03:58:18 Adjournment: 12:00 P.M.

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REP. SCOTT MENDENHALL, Chairman

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NANCY KRAFT, Secretary

SM/nk

Additional Exhibits:

**EXHIBIT ([buh13aad.pdf](#))**